

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JERZY MUSZKATEL

Plaintiffs,

-against-

90 CHURCH STREET LIMITED PARTNERSHIP, et
al,

Defendant.

See Full Caption Attached.
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Case No.:
21 MC 102 (AKH)

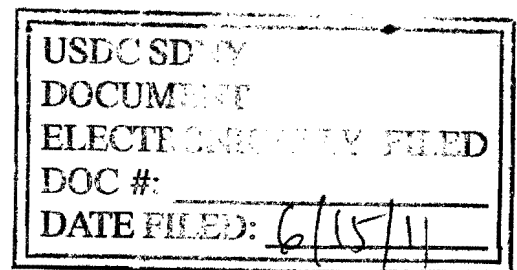
This Order relates to:
Docket No.: 06CV05285

**STIPULATION
OF DISCONTINUANCE
AS TO TRIBECA NORTH END
LLC ONLY**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties herein, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendant TRIBECA NORTH END LLC, located at 450 North End Avenue, only as to the claims being made as to the premises located at 201 Warren Street, New York, New York shall be and the same hereby are discontinued without prejudice and without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the course of the litigation which determines that the TRIBECA NORTH END LLC is a proper party to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

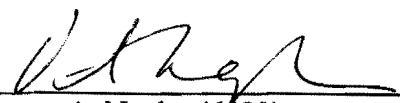
This Stipulation may be filed without further notice with the Clerk of the Court.



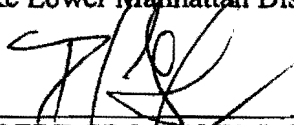
Dated: New York, New York
June 3, 2011

CALLAN, KOSTER, BRADY &
BRENNAN, LLP
Attorneys for Defendant -
TRIBECA NORTH END LLC

LAW OFFICES OF GREGORY J. CANNATA, ESQ.
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SO ORDERED:



HON. ALVIN K. HELLERSTEIN